

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

\_\_\_\_\_  
No. 10-9002  
\_\_\_\_\_

IN RE: JEFFREY A. BEARD; DAVID DIGUGLIELMO;  
AND FRANKLIN J. TENNIS,  
Petitioners

\_\_\_\_\_  
On a Petition for Writ of Mandamus from the  
United States District Court for the Eastern District of Pennsylvania  
(Related to E.D. Pa. No. 05-cv-1094)  
\_\_\_\_\_

Submitted Pursuant to Rule 21, Fed. R. App. P.  
May 25, 2010

Before: SCIRICA, HARDIMAN and NYGAARD, Circuit Judges.

**JUDGMENT**

This cause came to be considered on a petition for writ of mandamus submitted on May 25, 2010. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the petition for writ of mandamus be, and the same is, denied. All of the above in accordance with the opinion of the Court.

ATTEST:

/s/Marcia M. Waldron  
Clerk

DATED: June 3, 2010



**A True Copy**

*Marcia M. Waldron*

Marcia M. Waldron, Clerk  
Certified order issued in lieu of mandate.